



Attorney Docket No. 50277-1561

2127

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

David J. Long, et al.

Serial No.: 09/853,823

Filed on: May 11, 2001

Confirmation No.: 6447

Examiner: ALI, SYED J.

Group Art Unit No.: 2127

For: NESTED TRANSACTIONS IN A FILE SYSTEM

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form, if needed. It is respectfully requested that the cited documents be considered and that the enclosed Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

\_\_\_\_\_ 37 C.F.R. §1.97(b).

X 37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e)

\_\_\_\_\_ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first

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cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

\_\_\_\_\_ 1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

\_\_\_\_\_ X A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

\_\_\_\_\_ 37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

\_\_\_\_\_ A statement pursuant to 37 C.F.R. §1.97(e)

\_\_\_\_\_ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

\_\_\_\_\_ 1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

\_\_\_\_\_ A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

\_\_\_\_\_ 37 C.F.R. §1.97(i). Wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent office.

- (1) Accordingly, copies of the references as listed on the attached Form PTO 1449 are submitted herewith for placement in the file. No certification or fees are deemed necessary.

The Examiner's attention is directed to the following related application(s) for the following reasons (as indicated by an "X" to the left of the appropriate paragraph):

\_\_\_\_\_ The Examiner is hereby notified that the following related application has been filed:

| U.S. Application/ Pat. No. | File Date | Atty. Docket. No. |
|----------------------------|-----------|-------------------|
|                            |           |                   |

This related application contains one or more claims that may be substantially similar to one or more claims in the present application. Therefore, the Examiner is encouraged to reference the file history of the related application as some of the information contained therein may be material to the examination of the present application.

  X   The Examiner is hereby notified that the present application is related to the following related application(s):

| U.S. Application/ Pat. No. | File Date         | Atty. Docket. No. |
|----------------------------|-------------------|-------------------|
| 10/448,888                 | May 30, 2003      | 50277-1749        |
| 10/452,164                 | May 30, 2003      | 50277-1750        |
| 10/452,163                 | May 30, 2003      | 50277-1751        |
| 10/040,578                 | December 28, 2001 | 50277-1766        |
| 10/040,500                 | December 28, 2001 | 50277-1767        |
| 10/040,499                 | December 28, 2001 | 50277-1768        |

The related application(s) contain(s) one or more claims that may be substantially similar to one or more claims in the present application, those claims may have been rejected in the related application(s), and a different interpretation may have been applied to one or more of the references that are of record in the present application. Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

\_\_\_\_\_ The Examiner is hereby notified that for the following related application(s) an Office Action has been received as indicated below:

| U.S. Application/<br>Pat. No. | File Date | Office Action<br>Mailing Date | Atty. Docket. No. |
|-------------------------------|-----------|-------------------------------|-------------------|
|                               |           |                               |                   |
|                               |           |                               |                   |


The related application(s) contain(s) one or more claims that may be substantially similar to one or more claims in the present application, those claims may have been rejected in the related application(s), and a different interpretation may have been applied to one or more of the references that are of record in the present application. Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: October 4, 2004

  
\_\_\_\_\_  
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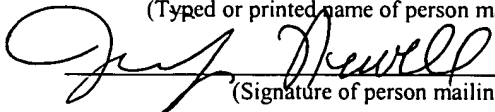
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

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|---|--|--|--|------------------------------------|--|--------------------------|--|
| <b>INFORMATION DISCLOSURE CITATION<br/>IN AN APPLICATION<br/>(PTO-1449)</b> |  |  |  | ATTY. DOCKET NO.<br>50277-1561     |  | SERIAL NO.<br>09/853,823 |  |
|   |  |  |  | APPLICANT:<br>David J. Long et al. |  |                          |  |
|   |  |  |  | FILING DATE:<br>May 11, 2001       |  | GROUP:<br>2127           |  |

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| U.S. PATENT DOCUMENTS |                       |                      |                                      |   |   |   |
|-----------------------|-----------------------|----------------------|--------------------------------------|---|---|---|
| Exam. Initial*        | Cite No. <sup>1</sup> | U.S. Patent Document |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|                       |                       | Number               | Kind Code <sup>2</sup><br>(If known) |   |   |   |
|                       |                       | 2003/0195865         | A1                                   | Long et al.                                     | 10-16-2003  |   |
|                       |                       | 2003/0195866         | A1                                   | Long et al.                                     | 10-16-2003  |   |
|                       |                       | 2003/0200197         | A1                                   | Long et al.                                     | 10-23-2003  |   |
|                       |                       |                      |                                      |   |   |   |
|                       |                       |                      |                                      |   |   |   |
|                       |                       |                      |                                      |   |   |   |

| FOREIGN PATENT DOCUMENTS |                       |                         |                     |                                      |   |   |   |                |
|--------------------------|-----------------------|-------------------------|---------------------|--------------------------------------|---|---|---|----------------|
| Exam. Initial*           | Cite No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T <sup>6</sup> |
|                          |                       | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(If known) |   |   |   |                |
|                          |                       |                         |                     |                                      |   |   |   |                |
|                          |                       |                         |                     |                                      |   |   |   |                |
|                          |                       |                         |                     |                                      |   |   |   |                |

| OTHER ART – NO PATENT LITERATURE DOCUMENTS |                       |  |                          |
|--|-----------------------|--|--------------------------|
| Examiner Initials*                         | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | Translation <sup>2</sup> |
|  |                       |  |                          |
|  |                       |  |                          |

|                    |                 |  |
|--------------------|-----------------|--|
| Examiner Signature | Date Considered |  |
|--------------------|-----------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard S.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.